

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DELTA PILOTS ASSOCIATION, )  
v. )  
Plaintiff )  
JOHN DOE, )  
Defendant. )  
No. 1:14-cv-00225-AKH

**DECLARATION OF JAMES KENNETH LOBSENZ**

I, James Kenneth Lobsenz, declare as follows:

1. I am a Senior Attorney in the Legal Department of the Air Line Pilots Association, International (“ALPA”). I have been employed as an attorney by ALPA since June 1993. I offer this Declaration in support of the Opposition of Non-Party Air Line Pilots Association, International (Including Non-Party Delta Master Executive Council) to Plaintiff’s Motion to Compel Compliance with Subpoenas Duces Tecum.

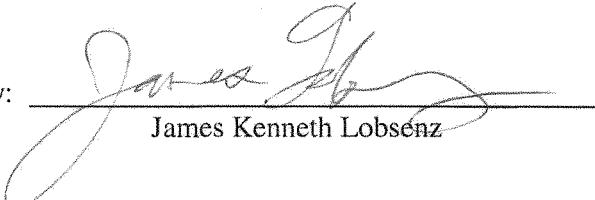
2. I am one of the attorneys responsible for handling ALPA's response to the virtually identical subpoenas issued to it and the Delta Master Executive Council dated May 27, 2014, by the Delta Pilots Association ("DPA"). I have personal knowledge of the facts set forth in this Declaration.

3. On June 3, 2014, I discussed the subpoena to ALPA with the attorney for the DPA, Stanley Silverstone, and we exchanged emails the same day. On and between June 11 and 27, 2014, Mr. Silverstone and I exchanged correspondence concerning the subpoenas, copies of which are attached to Mr. Silverstone's Declaration in this case as Exhibits C, D, E, and F. Since our June 3 conversation, I have not been contacted by Mr. Silverstone (or anyone else from his law firm) via telephone or in person, and I have had no communications with him or anyone else

in his law firm apart from the correspondence referenced above. In particular, neither Mr. Silverstone nor anyone in his law firm ever: contacted me concerning a joint letter to Judge Hellerstein (as required in Section 2.E of Judge Hellerstein's rules); proposed such a joint letter in writing; or contacted me to "meet and confer" before filing a motion to compel as required in Section 2.E and Local Rule 37.3(a).

Pursuant to 29 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 11, 2014

By:   
James Kenneth Lobsenz